

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

For Official Use

IN THE MATTER OF THE GUARDIANSHIP OF

Notice of Rights

Date of Birth

Case No. _____

A petition for the appointment of a guardian of your person and/or property has been filed with the circuit court. A hearing will be held to determine if you need a guardian at:

the _____ County Courthouse, _____,
Wisconsin, Room _____, before _____,
Court Official, on _____, at _____.

Date

Time

I have been appointed by the court as your guardian ad litem. My responsibility is to advocate for what I determine to be in your best interests.

I need to explain the hearing procedure to you, your right to counsel and your right to request or continue a limited guardianship.

I also need to advise you, both orally and in writing, that you have a right to a jury trial, to an appeal, to counsel and to an independent medical or psychological examination on the issue of competency, at county expense if you are indigent.

Specifically, you have the following rights:

1. The right to notice of the time and place of the hearing, the name of the petitioner, the specific allegations why you should be determined to be incompetent and have a guardian appointed.
2. The right to personally attend the hearing, if you are able to do so.
3. The right to receive a copy of the required medical or psychological report at least 96 hours before the hearing.
4. The right to an attorney to represent you as adversary legal counsel at the hearing, and on appeal. Adversary legal counsel will advocate for your wishes. If you desire an attorney, but cannot afford one, the court may appoint one for you at county expense. A request for a court-appointed attorney must be made in writing as soon as possible.
5. The right to present evidence and cross-examine witnesses at the hearing, including the physician or psychologist who reports to the court on your competency.
6. The right to an independent medical or psychological examination. If you desire examination by an independent doctor or licensed psychologist, but cannot afford one, the court may authorize one at county expense. A request for such examination must be made in writing as soon as possible.
7. The right to request a limited guardianship and present evidence that you should retain specific rights under a limited guardianship.
8. The right to a determination of competency by the court, or by a jury. If you want a jury trial, your request must be made in writing by you, your attorney, or your guardian ad litem at least 48 hours before your hearing.
9. The right to ask the court of appeals to review a decision which goes against your wishes.

Signature of Guardian ad Litem

Name Printed or Typed

Date

State Bar Number

Distribution:

1. Original - Court
2. Proposed ward